

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN**

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JOSEPH ROBERTS

Plaintiff

v.

Case No. 18-CV-699

INTEGRATED MAIL INDUSTRIES, LTD.

Defendant

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**DEFENDANT'S NOTICE OF MOTION AND  
MOTION TO DISMISS PURSUANT TO RULE 12(b)(6)**

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To: Attorney Yingtao Ho  
The Previant Law Firm S.C.  
310 W. Wisconsin Ave.  
Milwaukee, WI 53203

**PLEASE TAKE NOTICE** that the above named defendant, Integrated Mail Industries, Ltd., by Padway & Padway, Ltd., hereby moves the Court, pursuant to Federal Rule of Civil Procedure 12(b)(6), to dismiss the complaint of the plaintiff Joseph Roberts on the grounds that the complaint fails to meet the threshold requirements to state a claim for failure to pay wages under either the Fair Labor Standards Act or Wisconsin law, and fails to meet the threshold requirement for certification either as a collective action under the Fair Labor Standards Act or as a class action under Federal Rule of Civil Procedure 23.

In support of this Motion, the defendant relies on the Defendant's Memorandum of Law in Support of Defendant's Motion to Dismiss and the Affidavit of Patricia Kingsley, filed simultaneously herewith.

Dated this May 31, 2018 at Milwaukee, Wisconsin.

PADWAY & PADWAY, LTD.  
Attorneys for the defendant.

By: Aaron A. DeKosky  
Aaron A. DeKosky  
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